

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE BAYOU HEDGE FUND INVESTMENT
LITIGATION

06 MD 1755 (CM)

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THIS DOCUMENT RELATES TO:
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SOUTH CHERRY STREET, LLC,

Plaintiff,

vs.

HENNESSEE GROUP LLC,
ELIZABETH LEE HENNESSEE and
CHARLES GRADANTE

Defendants.

No.: 06-cv-02943 (CM)

DECLARATION OF
MATTHEW WOLPER

Electronically Filed

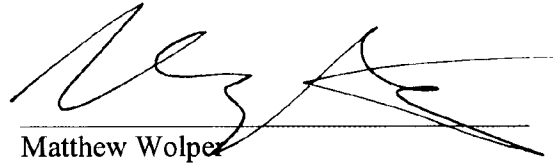
STATE OF FLORIDA)
) ss.:
COUNTY OF BROWARD)

Pursuant to 28 U.S.C. § 1746(2) (2004), I declare under penalty of perjury that the foregoing is true and correct:

1. My name is Matthew Wolper. I am more than 18 years of age and understand the nature and obligation of an oath. I have personal knowledge of the facts and statements contained in this Declaration and each of them is true and correct. I am attorney representing Hennessee Group, LLC, Charles Gradante and Elizabeth Lee Hennessee in the above-referenced matter.
2. I submit this Declaration in support of the Defendants' Motion to Dismiss for the purpose of attaching Magistrate Fox's Report and Recommendations ("Report") and your honor's Memorandum Order Denying Motion by Defendants to Stay This Action and to Compel Arbitration ("Memorandum Order").
3. For the Court's convenience, the Report and the Memorandum Order are attached hereto as Exhibits D & E, respectively.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated herein are true.

Executed on January 31, 2007



Matthew Wolper